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**Hearing Date: May 18, 2022**  
**Response Date: March 29, 2022**  
**Reply Date: April 28, 2022**

*Attorneys for Defendant Multi-Strategy Fund Limited*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff,

Plaintiff,

v.

MULTI-STRATEGY FUND LIMITED and  
CDP CAPITAL TACTICAL ALTERNATIVE  
INVESTMENTS,

Defendants.

No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 12-01205 (CGM)

**ORAL ARGUMENT REQUESTED**

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon Defendant Multi-Strategy Fund Limited's Memorandum of Law in Support of Its Motion to Dismiss, the accompanying Declarations of Robert J. Lack and Mario A. Therrien, dated January 28, 2022, and the exhibits thereto, the Complaint, dated March 22, 2012 (the "Complaint"), in the above-captioned adversary proceeding, and all prior pleadings and proceedings herein, defendant Multi-Strategy Fund Limited ("Multi-Strategy") will move this Court on May 18, 2022 at 10 a.m. for an order dismissing the Complaint filed by plaintiff Irving H. Picard, Trustee (the "Trustee") for the Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff, pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6), as made applicable by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order in this proceeding entered December 28, 2021, the Trustee shall respond to this motion by March 29, 2022 or file an amended complaint by February 18, 2022. If the Trustee responds to the motion, Multi-Strategy shall file its reply by April 28, 2022.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Multi-Strategy does not consent to the entry of final orders or judgment by this Court.

Dated: New York, New York  
January 28, 2022

s/ Robert J. Lack  
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